

TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED: —  
TORT — MOTOR VEHICLE TORT — CONTRACT —  
EQUITABLE RELIEF — OTHER

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX  
[seal] , ss

SUPERIOR COURT  
DEPARTMENT  
OF THE  
TRIAL COURT  
CIVIL ACTION  
No. 2004-03153-E

Eleanor Kerrigan  
Sean Kerrigan , Plaintiff(s)

Fed # 04-cv-12133-RCL

v.  
John W. Curran  
Diebold, INC.  
Crawford & Company , Defendant(s)

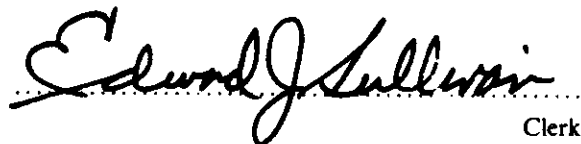
SUMMONS

To the above-named Defendant: John W. Curran

You are hereby summoned and required to serve upon ..... Andrew J. Schultz, Esq. ....  
..... plaintiff's attorney, whose address is ... 50 Mall Road, Suite 209  
Burlington, MA 01803 ....., an answer to the complaint which is herewith  
served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you  
fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also  
required to file your answer to the complaint in the office of the Clerk of this court at ... 40 Thorndike Street  
Cambridge, MA 02141 ..... either before service upon plaintiff's attorney or within a  
reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may  
have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's  
claim or you will thereafter be barred from making such claim in any other action.

Witness, Suzanne V. DelVecchio, Esquire, at Cambridge, MA .....  
the ..... 8th ..... day of September .....  
....., in the year of our Lord ..... 2004 .....

  
Clerk

NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all such defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

AFFIDAVIT OF SERVICE

Warren County Sheriff  
Civil Office  
1400 State Route 9  
Lake George, New York 12845  
(518) 743-2500

STATE OF NEW YORK  
Superior

Account#: 04-0001983

Eleanor Kerrigan

,Plaintiff,

-against-

John W Curran

,Defendant,

ROBERT PENDAS , being duly sworn, deposes and says: that deponent is not a party to this proceeding, is over 18 years of age and resides in the State of New York.

ROBERT PENDAS states that on Monday, September 27, 2004 at 10:10 AM at:

1536 Ridge Road  
Queensbury, NY 12804

service of the Summons & Complaint was made upon:

John W Curran

the Defendant named herein in the following manner:

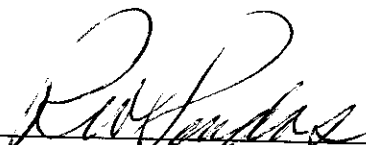
Personal Service

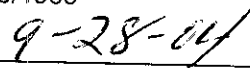
By delivering to and leaving with John W Curran , in hand, a true copy thereof, said person being known to me as the person mentioned and described herein.

At the time of the service the defendant was asked if he/she is in the military service of the United States and he/she stated that he/she is not.

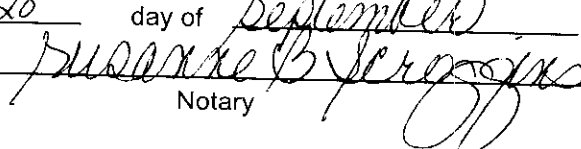
The person served is described as:

Race - White  
Skin Color - Medium  
Sex - Male  
Age - 51  
Hair Color - Gray  
Height - 6' 0"  
Weight - 200 lbs  
DOB - 9/6/1953

  
\_\_\_\_\_  
Officer

  
\_\_\_\_\_  
Dated

Sworn and Subscribed to Before Me

this 28 day of September, 2004  
  
\_\_\_\_\_  
Notary

SUSANNE B. SCROGGINS  
Notary Public, State of New York  
No. 6056455  
Qualified in Warren County  
Commission Expires March 26, 2007